

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0691-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing  
OR  
☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	PT-1950001
First Named Inventor	Sheldon Tobe
<b>COMPLETE IF KNOWN</b>	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**STERILE BICARBONATE-FREE DIALYSIS CONCENTRATE SOLUTIONS**

(Title of the Invention)

the specification of which

☒ is attached hereto and

OR

☒ was filed on (MM/DD/YYYY) 12/20/2000 as United States Application Number or PCT International

Application Number US 60/256,492 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0861-0032

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**DECLARATION — Utility or D sign Patent Application**Direct all correspondence to: ☒ Customer Number or Bar Code Label 23607 OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : ☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle (if any))

SHELDON

Family Name  
or Surname

TOBE

Inventor's  
Signature \**Sheldon Tohe*

\*

Date

14/12/01

Residence: City

TORONTO

State

ONTARIO

CANADA  
Country

Citizenship

CA

Mailing Address

A240-2075 BAYVIEW AVENUE

City

TORONTO

State

ONTARIO

M4N 3M5  
ZIPCANADA  
Country

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle (if any))Family Name  
or SurnameInventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

ZIP

Country

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → 

PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	Unknown
Filing Date	Unknown
First Named Inventor	Sheldon Tobe
Group Art Unit	
Examiner Name	
Attorney Docket Number	PT-1950001

I hereby appoint:

☒ Practitioners at Customer Number  
OR

23607 →

Place Customer  
Number Bar Code  
Label here☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

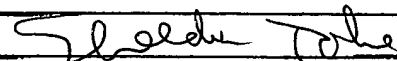
I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

SHELDON TOBE

Signature

\* 

Date

\* 14/12/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 5 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/01A (10-01)

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# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of invention**      **STERILE BICARBONATE-FREE DIALYSIS CONCENTRATE SOLUTIONS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, ~~XX~~ and  
☒ Application No. 60/256,492, filed on December 20, 2000.  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: Sheldon Tobe

Signature: Sheldon Tobe

Citizen of: Canadian

Inventor two: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

**Burden Hour Statement:** This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10020831 121901

# Assignment

I, **Sheldon Tobe** whose full post office address is A240-2075 Bayview Avenue, Toronto, Ontario, Canada M4N 3M5, in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby sell and assign to **DIALYSIS SOLUTIONS INC.** whose full post office address is 380 Elgin Mills Road East, Richmond Hill, Ontario, L4C 5H2, Canada, all the right, title and interest in the United States of America and worldwide, in and to my invention relating to **STERILE BICARBONATE-FREE DIALYSIS CONCENTRATE SOLUTIONS** as fully described and claimed in my application from which priority is claimed for a patent for such invention and all supplementary applications, continuation applications and divisional applications thereof and to all my corresponding right, title and interest in and to any patent which may issue therefor and any and all reissues thereof.

And I, on behalf of myself and my heirs, executors, representatives and administrators, hereby covenant and agree to do all such lawful acts and things and to execute without further consideration such further lawful assignments, documents, assurances, applications, and other instruments as may reasonably be required by said assignee, its successors, assigns or legal representatives, to obtain any and all Letters Patent of the United States of America for said invention and vest the same in said assignee, its successors, assigns or legal representatives.

WITNESS our hands )  
and seals at the )  
City of \_\_\_\_\_ )  
Province of Ontario )  
this \_\_\_\_ day of \_\_\_\_\_, 2001. )

\_\_\_\_\_  
SHELDON TOBE

\_\_\_\_\_  
A Commissioner, Notary, etc.

## Affidavit

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001 personally appeared before me SHELDON TOBE to me known to be the individual described in the foregoing instrument, and who swore before me that he executed the same.

\_\_\_\_\_  
A Commissioner, Notary, etc.

10020381.121501